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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/589,655

08/16/2006

Olivier Heen

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EXAMINER

SIDDIQI, MOHAMMAD A

ART UNIT

PAPER NUMBER

2493

NOTIFICATION DATE

DELIVERY MODE

09/16/2011

ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No. 10/589,655	Applicant(s) HEEN ET AL.	
	Examiner MOHAMMAD SIDDIQI	Art Unit 2493	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 22 June 2011.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on ____; the restriction requirement and election have been incorporated into this action.
- 4) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 5) ☒ Claim(s) 5-12 is/are pending in the application.
- 5a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 6) ☐ Claim(s) ____ is/are allowed.
- 7) ☒ Claim(s) 5-12 is/are rejected.
- 8) ☐ Claim(s) ____ is/are objected to.
- 9) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 10) ☐ The specification is objected to by the Examiner.
- 11) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 12) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|---|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. ____. |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date ____. | 6) <input type="checkbox"/> Other: ____. |

DETAILED ACTION

1. Claims 5-12 are examined. Claims 1-4 have been cancelled.

Response to Arguments

2. In view of the Appeal Brief filed on 06/22/2011, PROSECUTION IS HEREBY REOPENED. A new ground of rejection is set forth below.

To avoid abandonment of the application, appellant must exercise one of the following two options:

(1) file a reply under 37 CFR 1.111 (if this Office action is non-final) or a reply under 37 CFR 1.113 (if this Office action is final); or,

(2) initiate a new appeal by filing a notice of appeal under 37 CFR 41.31 followed by an appeal brief under 37 CFR 41.37. The previously paid notice of appeal fee and appeal brief fee can be applied to the new appeal. If, however, the appeal fees set forth in 37 CFR 41.20 have been increased since they were previously paid, then appellant must pay the difference between the increased fees and the amount previously paid.

A Supervisory Patent Examiner (SPE) has approved of reopening prosecution by signing below:

/Carl Colin/

Supervisory Patent Examiner, Art Unit 2493.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 5-12 are rejected under 35 U.S.C. 103(a) as being unpatentable over Eiden et al. (6,829,487) (Hereinafter Eiden) in view of Motoyama et al (7,058,719) (Hereinafter Motoyama).

5. As per claim 5, Eiden discloses a method for inserting a new device in a community of devices comprising (fig 1-2): selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (fig 2, col 5, lines 1-33);

storing, by each device of the community which receives an insertion request from a new device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device), the insertion request in a memory of said each device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device);

forwarding (col 5, lines 10-13, message transmitted to each group member), by each device of the community which receives a request from the device (elements of fig 2, col 6, lines

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22-58), the at least one stored insertion request to said device (204, 205, fig 2, col 6, lines 22-58, member stores the information in his communication device).

Eiden discloses the new member applies for membership (fig 1, col 5, lines 1-5) in a short-range ad hoc network system (fig 4, col 9, lines 25-26), each member of the ad hoc group accept the new member (fig 2). Eiden did not disclose selecting a user chosen device, selecting, by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community; performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community. However Motoyama selecting a user chosen device (fig 14), selecting (fig 14, col 16, lines 45-51), by a user, a user chosen device from one of the community of devices for authorizing insertion of a new device into the community (1420, fig 14, col 16, lines 45-51); performing, by the user chosen device, at least one user action for authorizing the insertion of the new device into the community (fig 16, col 17, lines 47-67) . It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eiden and Motoyama. The motivation would have been providing protection and access control to ad hoc or home networks without requiring authentication server.

6. As per claim 6, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses further comprising a step of: selecting, using the user interface of the user chosen device (fig 14 and 16), one of the insertion requests received by the user chosen device, to authorize the device having emitted said insertion request to be inserted in the community (fig 14 and 16, col 17, lines 47-67).

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7. As per claim 7, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses further comprising a step of: sending, from said user chosen device, an insertion request to the new device inserted in the community to request that said user chosen device enters the new device's community (fig 16, col 17, lines 46-67).

8. As per claim 8, the claim is rejected for the same reasons as claim 5, above. In addition, Motoyama discloses wherein said insertion request from said user chosen device is transmitted to the new device inserted in the community through the device of the community having first forwarded (fig 16, col 17, lines 46-67, sends a setup request to control device) the insertion request from the new device to the user chosen device in case said user chosen device cannot directly communicate with the new device community (16, col 17, lines 46-67).

9. As per claim 9, Eiden discloses device adapted to belong to a community of networked devices, characterized in that wherein said device comprises:

a first memory for storing at least one insertion request received from a new device requesting to be inserted in the community (fig 4, col 6, lines 22-58);

a network interface (fig 4, col 2, lines 19-21) for sending the at least one insertion request stored in said first memory upon request from a device of the community for performing at least one user action for authorizing the insertion of the new device in the community (votes for the new member, elements of the fig 2, col 6, lines 22-58);

a second memory for storing insertion requests sent by other devices of the community (204, 205, fig 2, col 6, lines 22-58). Eiden does not explicitly disclose

sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community for performing at least one user action for authorizing the insertion of the new device in the community. However, Motoyama discloses sending the at least one insertion request stored in said first memory upon request from a device chosen by a user of the community for performing at least one user action for authorizing the insertion of the new device in the community (fig 14 and 16, col 16, lines 45-51; col 17, lines 46-67). It would have been obvious to one of ordinary skill in the art at the time of the invention was made to combine the teachings of Eiden and Motoyama. The motivation would have been providing protection and access control to ad hoc or home networks without requiring authentication server.

10. As per claim 10, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses a user interface allowing a user to select one of the insertion requests received by the user chosen device (fig1-2), to authorize the device (votes for the new member, elements of the fig 2, col 6, lines 22-58) having emitted said insertion request to be inserted in the community when said device is the user chosen device (votes for the new member, elements of the fig 2, col 6, lines 22-58).

11. As per claim 11, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses insertion requests contain a provable identity of the new device (col 3, lines 1-33).

12. As per claim 12, the claim is rejected for the same reasons as claim 9, above. In addition, Eiden discloses the device having received an insertion request from a new device is further able to broadcast the provable identity of the chosen device to the new device (fig 1-2, col 3, lines 1-33, message transmitted to every member of the group).

Conclusion

13. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure:

U.S. Patent 7,190,961

U.S. Patent 7,304,968

U.S. Patent 6,519,629

U.S. Patent 7,340,057

U.S. Patent 6,604,140

US Pub. No. 2004/0168081

14. Any inquiry concerning this communication or earlier communications from the examiner should be directed to MOHAMMAD SIDDIQI whose telephone number is (571)272-3976. The examiner can normally be reached on Monday -Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Carl Colin can be reached on (571) 272-3862. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. S./
Examiner, Art Unit 2493

/Carl Colin/
Supervisory Patent Examiner, Art Unit
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